IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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Writ Petition No. 10305 of 2005

Between:

1. Shaik Bibijan, W/o.Sydu, aged 40 years,

R/o.Pedapavani village, Lingasamudram Mandal, Prakasam

District.

2. Shaik Rasoolbi, W/o.Bikari Baheb, 45 years,

R/o.Pedapavani village, Lingasamudram Mandal, Prakasam

District.

3. Shaik Begum, W/o.Himam Saheb, 45 years,

R/o.Pedapavani village, Lingasamudram Mandal, Prakasam

District.

..... PETITIONERS

AND

1. Joint Collector, Prakasam District, Ongole.
2. Mandal Revenue Officer, Lingasamudram Mandal,
3. Panchayat Secretary, Pedapavani Village, Lingasamudram Mandal, Prakasam District.
4. TheHead Master, M.P.E.School (URDU), Peddapavani Village, Lingasamudram Mandal, Prakasam District.
5. Sk.Mahaboob Johonney, W/o.Chinna Mahboob, Pedapavani Village, Lingasamudram Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ order more particularly one in the nature of Mandamus or an appropriate writ or order declaring the inaction of respondent No.1 in not taking any action against the appeal filed by the petitioners on 13.12.2004 and direct the respondent No.1 to 4 to permit the petitioner continue as Cooking agent by declaring the action of respondents as illegal, arbitrary and unconstitutional.

Counsel for the Petitioners: MR.KOTI REDDY IDAMAKANTI

Counsel for the Respondent Nos.1 & 2: GP FOR REVENUE

Counsel for the Respondent Nos.3 to 5: None appeared.

The Court at the stage of admission made the following :

O R D E R :

The petitioners filed this writ petition seeking declaration that the action of the first respondent in not disposing of the appeal filed by them against the Order dated 08.08.2004 of the third respondent as arbitrary and illegal.

The third respondent herein passed an Order on 08.08.2004, appointing one Shaik Mahaboob Jhonney as a cooking agent in the place of the petitioners herein pending enquiry until further orders on certain complaints received against the petitioners. Aggrieved by the said order, the petitioners preferred an appeal before the first respondent-Joint Collector, on 13.12.2004. The grievance of the petitioners is that the first respondent failed to consider their appeal and no orders have been passed even on the application for stay filed by them along with the appeal. Hence, this writ petition.

Having heard the learned Counsel for the petitioners and the learned Government Pleader for Revenue, appearing for the respondents 1 and 2, and keeping in view the appeal is still pending before the first respondent, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction

to the first respondent to dispose of the appeal filed by the petitioners, pending on his file, preferably within four weeks from the date of receipt of a copy of this Order.

Accordingly, the writ petition is disposed of. No costs.

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G.ROHINI, J.

Dated: 28th April, 2005.

Note:

Issue C.C. by tomorrow.

B/O

cs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, Prakasam District, Ongole.
2. The Mandal Revenue Officer, Lingasamudram Mandal, Prakasam District.
3. The Panchayat Secretary, Pedapavani Village, Lingasamudram Mandal, Prakasam District.

4. TheHead Master, M.P.E.School (URDU), Peddapavani Village, Lingasamudram Mandal, Prakasam District.

5. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

6. 2 CD copies

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